

Serial Number_____

TIMING LIMITATION STIPULATION

No surface use is allowed from February 1 through August 31 in a one mile radius around bald eagle nest sites.

This stipulation does not apply to the operation and maintenance of production facilities unless the findings of analysis demonstrate the continued need for such mitigation and that less stringent, project-specific mitigation measures would be insufficient.

On the lands described below:

For the purpose of:

To protect bald eagle nesting sites and/or breeding habitat in accordance with the Montana Bald Eagle Management Plan.

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes.

Exception: An exception to this stipulation may be granted by the authorized officer if the operator submits a plan which demonstrates that the proposed action will not affect the bald eagle or its habitat. If the authorized officer determines that the action may have an adverse affect, the operator may submit a plan demonstrating that the impacts can be adequately mitigated. This plan must be approved by the BLM in consultation with the U.S. Fish and Wildlife Service (FWS).

Modification: A modification may be granted if new habitat studies show that a portion of the area is not used by eagles.

Waiver: This stipulation may be waived if the authorized officer, in consultation with FWS, determines that the entire leasehold can be occupied without adversely affecting bald eagle nest sites or nesting habitat.

TL 13-26
Butte Field Office